

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE COMMISSION,	:	
	:	
Plaintiff,	:	Hon. Vernon S. Broderick
	:	
v.	:	Civil Action No. 21-CV-7700(VSB)(CLW)
	:	
SIMON PIERS THURLOW, et al.,	:	<b><u>NOTICE OF MOTION TO DISMISS</u></b>
	:	
Defendants.	:	
	:	

To: Victor Suthammanot, Esq.  
Ladan F. Stewart, Esq.  
Mary Kay Dunning, Esq.  
Securities and Exchange Commission  
200 Vesey Street, Suite 400  
New York, NY 10281

PLEASE TAKE NOTICE that defendants Simon Piers Thurlow, pro se, and Roger Fidler, pro se, and Joseph Jordon, Bryce Boucher, Richard Oravec, Bradley Fidler and Western Bankers Capital, Inc., by and through their counsel Roger L. Fidler, Esq., file this Motion to Dismiss Plaintiff's Complaint pursuant to Fed. R. Civ. P. 12(b)(6), returnable February 1, 2022 at 10:00 a.m., or as soon thereafter as counsel may be heard, Roger L. Fidler, attorney for Bryce Boucher, will apply to this Court for an Order Granting Defendant's Motion to Vacate Default pursuant to the Federal Rules of Civil Procedure as stated above.

In support of this motion, the Government respectfully refers the Court to the attached Memorandum of Law and supporting Exhibits, affidavits and requests that the Court decide the motion on the papers submitted, without oral argument, pursuant to Rule 78 of the Federal Rules of Civil Procedure.

Respectfully submitted,

/s/ Roger L. Fidler  
Roger L. Fidler  
Counsel for Defendants  
Attorney for Defendants  
Bryce Boucher  
Joseph Jordan  
Bradley Fidler  
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Dated: December 20, 2021

/s/ Simon Piers Thurlow  
Simon Piers Thurlow

Dated: December 20, 2021